

Robert Gehrke: Utah should have hit pause on Banjo even before we learned of its CEO's ties to white supremacists



Robert Gehrke

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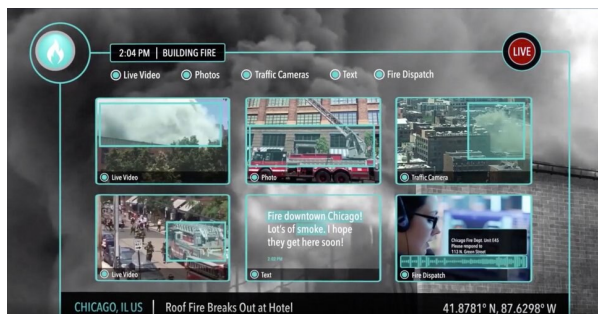
Given how much information Banjo, the gigantic data-sucking company, had access to, they should have seen it coming.

The rest of us were surprised to learn, however, that the founder and CEO of the company, Damien Patton had, as a teenager, fraternized with white supremacist organizations and even acted as the getaway driver in the shooting of a synagogue.

Even though Patton's statement in reaction to the news stories seemed remarkably contrite and apologetic, it's not a good look for a tech company CEO, especially for a company that is given access to vast amounts of Utah's sensitive information with a mission to get first responders to crimes or emergencies faster.

The state of Utah, local governments and the University of Utah tried to create more distance between themselves and Banjo than Burt Reynolds in Deliverance. All of the state and local contracts have been paused, and state Attorney General Sean Reyes — the guy most responsible for championing Banjo in the first place — announced a review of the deal (which Reyes, up for reelection, has appropriately handed off to the state auditor).

While the end result is a relief, it's frustrating that it took these revelations about Patton's past to get us to this point. As bizarre as it sounds, the company leader having once been a white supremacist wasn't even at the top of the list of why the state signing up with Banjo was a bad idea.



(screengrab from Banjo company website) Park City-based Banjo has a contract with the state of Utah to create a live-time surveillance system to help law enforcement and other entities respond to situations faster. Some experts worry about privacy implications.

To even get there, you have to look past the fact that the entire concept of Bani is a massive state surveillance program, fueled with data the state has collected on you and is handing over to a contractor. That in and of itself is problematic.

Remember when the state bought into — or perhaps involuntarily bought you into — the massive surveillance program? You probably don't. Because even among the traditionally anti-Big Brother state Legislature, there was barely any scrutiny. They were seemingly delighted to throw millions of dollars at Patton's company.

On the Democratic side, Rep. Angela Romero was outspoken with her concerns. Among Republicans, House Majority Leader Francis Gibson was the only one who really made waves about it.

"In a way, we're creating the NSA Utah," Gibson said.

For the most part, state and local governments were happy to hand over a mind-boggling array of data on you and every other Utahn — giving the company direct, real-time access to UDOT traffic camera feeds, 911 calls and emergency vehicle locations as well as private and public security cameras. The next phase was to involve tracking opioid overdoses and people who are homeless.

Compare that to the recent outrage when Gov. Gary Herbert tried to set up a system to text people entering the state asking them to fill out a voluntary questionnaire about whether they had COVID-19 symptoms. Gubernatorial candidate Greg Hughes, for example, said that was an unconstitutional infringement on privacy.

We have asked, repeatedly, if Banjo was ever actually used effectively to assist in a real-life scenario — something they should be eager to boast about — and the answers have been evasive. It has been helpful in simulations, according to the attorney general's office.

If the state wanted to invade its citizens' privacy by creating an all-seeing eye, it seems they would want to at least make sure the eye works.

I'm not a tech guy by any stretch of the imagination, but very tech-savvy people I know have serious doubts about Banjo's effectiveness.

None of that mattered for months, as politicians willingly sold you into The Matrix until it turned out that the hero of the movie, Neo, was maybe short for Neo-Nazi.

Here is, I suppose, the good news.

The state is finally asking the questions it should have answered before it handed over the keys to our privacy to a third-party vendor, and we have a mechanism — the state audit — that can start to get some answers.

In a statement to my colleague Leia Larsen, Banjo says it anticipates the audit will show there is no racial bias in its data-sifting algorithm and that it has appropriate safeguards for privacy.

Maybe. Maybe not. But whatever the audit finds will frame the real discussion we need to have: How much information are we willing to share in exchange for the promise of a faster response to crime or emergencies?

And it drives home the need for something I've suggested before, a statewide privacy ombudsman, who specializes in and advises state and local leaders about the appropriate limits on government surveillance and can advocate for citizens concerned about intrusions.

Because if it's not Banjo, there will absolutely be some other company on its heels — Ukelele or Kazoo — trying to make a buck promising to keep us safe if we give them access to our personal data.



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